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# 1983 Summary of Legislation

Affecting Municipalities

Enacted at the Third Session of the Thirty-Second  
Legislature of the Province of Ontario.



Ministry of  
Municipal Affairs  
and Housing

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MINISTRY OF MUNICIPAL AFFAIRS  
AND HOUSING  
ONTARIO

This summary has two functions. First, certain Public Acts or parts thereof considered to be of particular interest to municipalities and which are included in the Ministry's publication, "Legislation for Ontario Municipalities" are summarized. This summary is prepared for the purpose of convenience only, so any detailed review should be made by direct reference to the Statutes of Ontario, 1983.


Secondly, it identifies amendments to those other Public Acts that also form part of the publication "Legislation for Ontario Municipalities", in addition to those summarized. Any new Public Acts which are enacted and which should be included in the publication are also identified. This updating feature is found in the final pages of the booklet, following the summary section.



3RD SESSION, 32ND LEGISLATURE, 1983

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EMERGENCY PLANS ACT, 1983

Bill 2

Royal Assent June 9, S.O. 1983, Chapter 30

1. This Act provides for the development and implementation of emergency plans.
2. The following notes are a summary of the procedures that are established by the Act.
3. **Municipal Emergency Plans:** Subsection 3(1) provides that local councils may pass by-laws establishing emergency plans regarding the provision of municipal services.
4. **Money:** Subsection 3(2) permits councils to set aside money for the development of such plans.
5. **County Role:** Subsection 3(3) provides that where local municipal consent is obtained, a county may assist in the formulation of local emergency plans.
6. **Declaration of Emergency:** Subsection 4(1) permits the head of council to declare an emergency and take whatever action he deems necessary so long as those actions do not contravene any laws.
7. **Premier:** Subsection 4(4) permits the Premier of Ontario to declare that an emergency has terminated.
8. **Inconsistency in Plans:** Section 5 states that where there is a district, regional or metropolitan municipality plan, area municipalities whose plans are inconsistent with the upper tier plan are deemed to be of no effect with regard to the inconsistency.
9. **Premier's Declaration:** Subsection 7(1) provides that the Premier of Ontario may declare that an emergency exists throughout the Province or in any part of it.
10. **Premier May Control:** Subsection 7(3) permits the Premier to allow Provincial authorities to take complete control of municipal powers and duties where he considers it necessary.
11. **Contents of Plan:** Section 9 provides that an emergency plan may provide for, among other things, the following;
  - a) procedures for evacuations,
  - b) designate one or more councillor to perform the duties of the head of council during his or her absence,
  - c) establishment of committees and the designation of employees to review the emergency plan and train employees in their functions.





- d) provide for the obtaining and distribution of supplies and equipment.
- e) provide for other matters considered necessary for the implementation of the plan.

12. **Plans Open to Public:** Section 10 makes it mandatory that the emergency plans be open for public inspection during ordinary business hours.

13. **Sue for Cost:** Where an emergency is determined to have been caused by a person the crown or the municipality may take an action for the cost incurred.

14. **Agreements:** Subsection 13(3) allows councils of a municipality to enter into an agreement with the council of another municipality or any other person for the provision of personnel, service, equipment or material during an emergency. Counties are included in the definition of municipality for this subsection.

**ONTARIO WATER RESOURCES AMENDMENT ACT, 1983**

**Bill 51**

**Royal Assent, November 9, S.O. 1983, Chapter 51**

**Commencement: S.S.1, 2, S.3(1-3) S.S.4-9: Royal Assent**  
**Subsection 3(4) and (5): Proclamation**

1. **Payment of Additional Charges:** Section 42a is enacted to provide for the payment of additional charges where a municipality has entered or is going to enter into an agreement under the O.W.R.A. for the provision or operation of a sewage or waterworks. The municipality must pay these additional charges to the Treasurer of Ontario.

2. **Revision of Rates:** Section 42b is enacted to permit the annual review and revision of rates that were established according to agreements entered into between the Crown and the municipality for the supply of water or the treatment of sewage. The new section, among other things, also provides for the calculation of the amounts on an annual basis, and their payment on an annual or more frequent basis by the Crown.

3. **Application:** The new Sections 42a and 42b apply to every agreement referred to in those sections regardless of when the agreement was entered into.

**Additional Amendments not summarized:**

4(1)

44

44(1)(k,l,s,t)





44 1a  
44 1a, (j,k,l,m,r)  
62 (2,3)  
63  
64  
65

ENVIRONMENTAL PROTECTION AMENDMENT ACT, 1983

Bill 52

Royal Assent November 9, S.O., 1983, Chapter 52

Commencement: S.S. 7-14, 23 (2,3,4) - January 1, 1984

S.S. 7-11 - February 5, 1984

S.S. 12-14, 23(2,3,4), 24 March 4, 1984

1. **Sewage System:** Section 62 is repealed and re-enacted to clarify the definition of a sewage system.

2. **Fees:** Section 70 is amended by adding subsections (4), (5), (6) which permit a municipality, where it has entered into an agreement with the Crown under Part VII of the Act, to prescribe fees for certificates of approval permitted under this Part.

**Additional Amendments not summarized:**

|         |                 |                 |
|---------|-----------------|-----------------|
| 1 (1)   | 67 (3)          | 127             |
| 1 (1) c | 68 (1,2)        | 134 a           |
| 1 a     | 69 (5)          | 134 b           |
| 4 (1)   | 70 (2) (d) (11) | 136 (1)         |
| 13 (1)  | 71              | 136 5 (d,l,k,m) |
| 14 (1)  | 113             | 137 (3)         |
| 17      | 120 (5,6)       | 149             |
| 63      | 122 (2)         |                 |
| 65      | 122 (a) (b)     |                 |
| 66      |                 |                 |

MUNICIPAL AMENDMENT ACT

Bill 58

Royal Assent June 9, 1983, S.O. 1983, Chapter 41

Commencement: Royal Assent

1. **Handicapped Parking Permits:** Subclause (a) (iia) of paragraph 119 of section 210 is enacted to allow municipalities to recognize permits and other markers issued by other jurisdictions for the purposes of parking and traffic by-laws related to physically handicapped persons.

2. **Licence Plate Symbols:** Clause (b) of paragraph 119 of section 210 is enacted to deem an Ontario licence





plate that bears the "disabled symbol" to be a permit for the purposes of municipal parking and traffic by-laws related to physically handicapped persons.

3. **Licences of Mobile Signs:** Paragraph 144c of section 210 is enacted to permit municipalities to pass by-laws licencing, regulating and governing persons who carry on the business of leasing mobile signs.

THE EXPROPRIATIONS AMENDMENT ACT, 1983

Bill 72

Royal Assent June 21, S.O. 1983, Chapter 47

Commencement: Proclamation

1. **Transfer to OMB:** Clause 1(1)(b) is repealed and replaced in order to provide for the transfer of all the functions from the Land Compensation Board to the Ontario Municipal Board.

2. **Transition:** The amended Act provides that where a proceeding has been commenced before the Land Compensation Board prior to the amendments, the OMB will hear the matter.

Additional Amendments not summarized:

28  
32  
33 (4)

POLICE AMENDMENT ACT, 1983

Bill 87

Royal Assent December 2, S.O. 1983, Chapter 57

Commencement: Proclamation

1. **Enlarged Commissions:** Section 1 provides for the re-enactment of subsections 8(2) and (4) to expand boards of police commissions in municipalities whose populations are over 25,000. The Commission consists of the head of council, one person appointed by resolution of the council and three persons appointed by the Lieutenant Governor in Council.

Municipalities of less than 25,000 may opt for expansion of their current three man boards to a five man board by adding an additional council appointee and a provincial appointee.

Additional Amendments not summarized:

8 (4a)





ASSESSMENT AMENDMENT ACT, 1983

Bill 90

Royal Assent December 2, S.O. 1983, Chapter 58

Commencement: December 1, 1983

1. **Notice of Assessment:** Subsection 30(1) is repealed and replaced to require the distribution of assessment notices to those owners or tenants of real property for which a change in the information required to be recorded on the notice has taken place.

2. **Notice to OMB:** Subsection 55(4) is amended by the addition of a requirement to provide for a notice to the appropriate assessment commissioner as well as the OMB, where the municipality requests a review of the municipality's equalized assessment or equalization factor.

**Additional Admendments not summarized:**

29 (4)

63 (1)

68

69

PUBLIC SECTOR COMPENSATION REVIEW ACT, 1983

Bill 111

Royal Assent December 16, Chapter 70, S.O. 1983

Commencement: October 1, 1983

NOTE: A section by section review is not undertaken.

A review of certain highlights of the Act follows:

1. The Act provides for the review of compensation and prices in the public sector.

2. The restraint period is defined as the twelve months following the end of the 5<sup>th</sup> year under the Inflation Restraint Act, 1982 or the end of a collective agreement that expires before October 1, 1984, whichever is the later.

3. Where there is a change in compensation in respect of the restraint period or there is a change due to arbitration, the arbitrator will have to state in the award the cost or saving to the employer.

4. The arbitrator, in making an award, must take into consideration the employer's ability to pay.



5. The Act applies to every municipality in Ontario, local board, and authority, board, commission, corporation, office or organization whose members are appointed or chosen by the council of a municipality. The members of the council of the municipal corporation are also subject to the requirements of the Act.

PLANNING AMENDMENT ACT, 1983

Bill 145

Royal Assent December 16, S.O. 1983, Chapter 82

Commencement: August 1, 1983

1. **Transitional Matters:** Subsection 1(1) provides for the repeal of Clauses 74(3)(b) and (f) which concern themselves with applications made to council to amend an official plan or zoning amendment commenced prior to August 1, 1983.

2. **Transitional Official Plan and Zoning Amendments:** Subsection 1(2) provides for the enactment of subsections 74(4), (5) and (6). Subsection (4) indicates that where council declines to make an amendment to an official plan that has been requested, the procedures of the old Planning Act applies. If council decides to accept the request, it may proceed under either the old or new Act.

Subsection (5) provides that where an official plan amendment is disposed of under the former Act, section 17 which requires a planning board report, does not apply. Subsection (6) is substantially the same procedure for zoning by-law amendments as contained in subsection (5).

BUILDING CODE AMENDMENT ACT, 1983

Bill 147

Royal Assent December 16, S.O. 1983, Chapter 83

Commencement: Royal Assent

1. **Variations From Building Code:** Subsection 19(1) is amended by the addition of, among other things, a clause which gives the Lieutenant Governor in Council the authority to enact regulations giving a chief building official the discretion to permit variations from the Code.





PROVINCIAL OFFENCES AMENDMENT ACT, 1983

Bill 151

Royal Assent December 16, S.O. 1983 Chapter 87

Commencement: August 1, 1981

1. **Parking Infractions:** A new section 149 is added to the Act to clarify that the Summary Convictions Act continues to apply to parking offences until Part II of the Provincial Offences Act is proclaimed. Appeals on the question underway prior to this amendment are not affected.





UPDATE SERVICE

AMENDMENTS TO OTHER PUBLIC BILLS ENACTED WHICH ARE  
INCLUDED IN THE PUBLICATION - "LEGISLATION  
FOR ONTARIO MUNICIPALITIES"

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| 34                     | <u>Vital Statistics Amendment Act, 1983</u>         | 13                  |
|                        | 27(2)   |                     |
|                        | 32(2)(b)  |                     |
|                        | 32(3)   |                     |
|                        | 39(1)   |                     |
| 24                     | <u>Landlord and Tenant Amendment Act, 1983</u>      | 32                  |
|                        | 107   |                     |
|                        | 110   |                     |
| 27                     | <u>Retail Sales Tax Amendment Act, 1983, (No.1)</u> | 37                  |
|                        | 1 (14,4)  | 17 (5)              |
|                        | 2 (2,4,5,9)   | 18 (2-5)            |
|                        | 3 (1a)  | 30 (1)a,b, (2-5)    |
|                        | 5 (1) (2c,14,14a,20,27,36,37,38)                    | 32 (1) (2)          |
|                        | (39,40,41,43,44,45,46,51,59,61a)                    | 34 (1a) (3a)        |
|                        | (64,70,76,77)                                       | 35 (1)              |
|                        | 11  | 39 (1) (2)          |
|                        | 13  | 41 (1) (2)          |
|                        | 16a   | 45 (2) (b,g,j,k)    |
|                        |   | (3) (g,i,j)         |
| 45                     | <u>Workers Compensation Amendment Act, 1983</u>     | 66                  |
|                        | 36 (1a,c-f) (6)                                     | 44                  |
|                        | 42 (4) (6) (7) (8)                                  | 45 (1)              |
|                        | 43 (8) (9)  | 52 (3b)             |
| 48                     | <u>Retail Sales Tax Amendment Act, 1983 (No.2)</u>  | 73                  |
|                        | 5 (1) p77   |                     |



| <u>CHAPTER<br/>NO.</u> |  | <u>BILL<br/>NO.</u> |
|------------------------|--|---------------------|
| 62                     | <u>Public Vehicles Amendment Act, 1983</u> | 95                  |
|                        | 2 (3) (4)                                  | 10                  |
|                        | 8  | 14 (2)              |
|                        |  | 15 (2)              |
| 63                     | <u>Highway Traffic Amendment Act, 1983</u> | 96                  |
|                        | 1 (1) p14,23,36a,39                        | 109 (15)            |
|                        | 7 (3c) (5a) (14f)                          | 111                 |
|                        | 9 (2) (2a)                                 | 115 (2)             |
|                        | 10 (1)b,c (4)                              | 116 (a,b)           |
|                        | 12 (1)a,b (4)                              | 118 (1)             |
|                        | 14   | 119 (1)             |
|                        | 18 (1) (1a) (2) (2a) (10)                  | 122 (8)             |
|                        | 19 (1)                                     | 124 (3) (4) (5)     |
|                        | 22   | (7-13) (17)         |
|                        | 23 (1) (2)                                 | 125 (2-4)           |
|                        | 26(1)                                      | 132                 |
|                        | 35(1)                                      | 136 (1)             |
|                        | 38   | 147 (5) (13)        |
|                        | 44 (18)                                    | 151 (5) (5a)        |
|                        | 47 (1) (2) a,b (3)                         | 152 (3)             |
|                        | 61 (1)                                     | 158 (2)             |
|                        | 67   | 166 (1)             |
|                        | 71 (d)                                     | 167 (2)             |
|                        | 88 (1)                                     | 172 (1)             |
|                        | 92 (7)                                     | 173 (1)             |
|                        |  | 174 (1)             |
|                        |  | 175                 |
|                        |  | 181 (2) (4)         |
|                        |  | 184 (1)             |
|                        |  | 188 (1)             |
|                        |  | 190 (2)             |
|                        |  | 191 (1)             |
| 71                     | <u>Telephone Amendment Act, 1983</u>       | 117                 |
|                        | 6 (1) (4) (5)                              | 45                  |
|                        | 8  | 61 (3)              |
|                        | 9 (5) (6)                                  | 71 (1)              |
|                        | 16   | 88                  |
|                        | 22   | 105 (3)             |
|                        | 26   | 106                 |
|                        |  | 108                 |





| <u>CHAPTER</u><br><u>NO.</u> |  | <u>BILL</u><br><u>NO.</u> |
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| 77                           | <u>Construction Lien Amendment Act, 1983</u>                         | 135                       |
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|                              | 3 (3)  | 39 (1) (1v),3             |
|                              | 5 (2)  | 44 (4)                    |
|                              | 20 (2)   | 80 (5) (10)               |
|                              | 36 (6)   |                           |
| 80                           | <u>Provincial Offences Statute Law</u><br><u>Amendment Act, 1983</u> | 140                       |
|                              | part V-A (91a-q)   |                           |
| 81                           | <u>Retail Sales Tax Amendment Act, 1983 (No.3)</u>                   | 144                       |
|                              | 5 (1) p76,77   |                           |





PUBLIC BILLS ENACTED WHICH SHOULD BE  
INCLUDED IN THE PUBLICATION - "LEGISLATION  
FOR ONTARIO MUNICIPALITIES"

|    |  |     |
|----|--|-----|
| 30 | Emergency Plans Act, 1983                      | 2   |
| 70 | Public Sector Compensation Review<br>Act, 1983 | 111 |





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